

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

DONALD GENE BROOKS,

Petitioner,

v.

STATE OF TENNESSEE,

Respondent.

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NO. 3:03-0821

JUDGE HAYNES

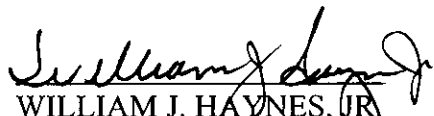
O R D E R

In accordance with the Memorandum filed herewith, the Respondent, the State of Tennessee's motion for summary judgment (Docket Entry No. 45) is **GRANTED** and the Petitioner, Donald Gene Brooks' petition for writ of habeas corpus is **DENIED**. The Petitioner has ten (10) days from the date of entry of this Order to file an application for a Certificate of Appealability listing any issue for which an appeal of this Order is sought pursuant to 28 U.S.C. § 2253(c).

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the 30th day of March, 2007.


WILLIAM J. HAYNES, JR.
United States District Judge